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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/467,693
		Filing Date	December 21, 1999
		First Named Inventor	Joe Lynam
		Art Unit	3627
		Examiner Name	Chilcot, Richard E.
Total Number of Pages in This Submission	9	Attorney Docket Number	5776P001

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Preliminary Amendment </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Elena B. Dreszer, Reg. No. 55,128 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	5-18-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/467,693
Applicant: Joe Lynam, et al.
Filed: December 21, 1999
TC/A.U. 3627
Examiner: Richard E. Chilcot
Docket No.: 5776P001
Customer No.: 08791

Confirmation No.: 2698

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Carrie Boccaccini

Name of Person Mailing Correspondence



Signature

5/18/2004

Date

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination of the above-captioned case, Applicants respectfully request the Examiner to enter the following amendments:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of the claims in the application:

Listing of Claims:

1. (Currently Amended): A system for accessing an electronic network ~~with an electronic terminal via a service provider, said electronic terminal having an associated identifier, said system comprising:~~

~~an access station, wherein said electronic terminal initially links with said access station via a first communication link and wherein said identifier associated with said electronic terminal is transmitted to said access station, wherein said access station establishes an account based upon said identifier and transmits connection information back to said electronic terminal for use in establishing a second communications link between said electronic terminal and said service provider, wherein a second communications link is initiated between said electronic terminal and said service provider based upon said connection information, and wherein said service provider monitors a time of said second communications link and transmits data indicative of said time to said access station.~~

an electronic terminal having an associated identifier;

an access station adapted to establish an account and to transmit connection information back to said electronic terminal, wherein the account is established based upon an investigation of a local exchange carrier database;

a first communication link to link said electronic terminal and said access station wherein said identifier associated with said electronic terminal is transmitted to said access station; and

a second communications link between said electronic terminal and said service provider, said second communications link initiated between said electronic terminal and said service provider based upon said connection information,

wherein said service provider monitors a time of said second communications link and transmits data indicative of said time to said access station.

2. (Original): The system as set forth in claim 1, where in said access station associates said time with said account for billing purposes.

3. (Original): The system as set forth in claim 2, wherein said identifier of said electronic terminal is a telephone number.

4. (Original): The system as set forth in claim 3, wherein said electronic terminal is portable, and when said electronic terminal is used at a remote location from a home port associated with said telephone number, said access station requires entry of additional information.

5. (Original): The system as set forth in claim 4, wherein said additional information corresponds to said account.

6. (Original): The system as set forth in claim 4, wherein said additional information is indicative of dialing instructions at said remote location.

7. (Original): The system as set forth in claim 3, wherein a monetary amount corresponding to said time of said second link is charged to said telephone number.

8. (Currently Amended): The system as set forth in claim 1, wherein said access station associates a task with said identifier of said electronic terminal, wherein ~~said a~~ password is transmitted to said electronic terminal via said first communications link and to said electronic network service provider via a third communications link.

9. (Currently Amended): A system for accessing an electronic network via an electronic network service provider, said system comprising:

~~an electronic network service provider;~~

an electronic terminal having an associated identifier and configured to access said electronic network;

an access station; configured to link with said electronic terminal, to store data

indicative of said identifier, and to provide said electronic terminal with information associated with said electronic network service provider for use by said electronic terminal in linking with said electronic network service provider responsive to an investigation of a local exchange carrier database,

~~an electronic terminal for accessing said electronic network, said electronic terminal having an associated identifier, wherein said electronic terminal links with said access station via a first communications link and said access station stores data indicative of said identifier, transmits said data indicative of said identifier to said electronic network service provider via a second communication link; and provides said electronic terminal with an identifier associated with said electronic network service provider for use by said electronic terminal in linking with said electronic network service provider wherein, once a link between said electronic terminal and said electronic network service provider is established, said electronic network service provider monitors a number of time units associated with said established link and transmits data indicative of said time units to said access station for use in billing matters.~~

10. (Original): The system as set forth in claim 9, wherein said identifier associated with said electronic terminal is a telephone number associated with a subscriber.

11. (Original): The system as set forth in claim 9, wherein said identifier is an electronic address associated with a subscriber.

12. (Currently Amended): A method of accessing the Internet with an electronic terminal and via an Internet service provider (ISP), said electronic terminal having an associated identifier, said method comprising:

initially linking said electronic terminal with an access station via a first communications link;

establishing an account at said access station corresponding to said electronic terminal responsive to an investigation of a local exchange carrier database;

transmitting from said access station to said electronic terminal ISP connection information pertaining to said ISP;

using said connection information to link said electronic terminal with said ISP via a second communications link;

monitoring time units associated with said second communications link at the ISP; multiplying said time units by a monetary rate to thereby obtain billing data; and associating said billing data with said established account for billing purposes.

13. (Previously Presented): The method as set forth in claim 12, wherein establishing said account further comprises:

determining an identifier associated with said electronic terminal; and using said identifier to establish a billing identifier.

14. (Previously Presented): The method as set forth in claim 13, wherein establishing an account further comprises:

establishing a password for said account.

15. (Currently Amended): The method as set forth in claim 14, ~~said method~~ further comprising:

transmitting said billing identifier, said password, and an identifier associated with said ~~Internet service provider~~ ISP to said electronic terminal as part of said connection information.

16. (Currently Amended): The method as set forth in claim 15, ~~said method~~ further comprising:

additionally transmitting said billing identifier and said password to said Internet service provider via a third communications link.

17. (Currently Amended): The method as set forth in claim 16, when said electronic terminal links with said Internet service provider via said second communications link, the method including transmitting said billing identifier and said password from said electronic terminal to said Internet service provider and comparing said billing identifier and said password transmitted

via said second link with said billing identifier and password transmitted via said third link for log on purposes at said ~~Internet service provider~~ ISP.

18. (Cancelled)

19. (Currently Amended): A method of accessing the Internet with an electronic terminal and via an Internet service provider, said electronic terminal having an associated identifier, said method comprising:

initially linking said electronic terminal with an access station via a first communications link;

establishing an account at said access station corresponding to said electronic terminal responsive to an investigation of a local exchange carrier database;

transmitting from said access station to said electronic terminal ISP connection information pertaining to said ISP;

using said connection information to link said electronic terminal with said Internet service provider via a second communications link; and

associating billing data with said established account at said ISP for billing purposes.

20. (Previously Presented): The method of Claim 19, wherein said identifier is a telephone number.

REMARKS

Applicants respectfully request reconsideration of this application as amended.

Mansey fails to disclose “an access station adapted to establish an account and to transmit connection information back to said electronic terminal, wherein **the account is established based upon an investigation of a local exchange carrier database**”, as required by independent claim 1.

Mansey fails to disclose “an access station configured to link with said electronic terminal, to store data indicative of said identifier, and to **provide said electronic terminal with information associated with said electronic network service provider** for use by said electronic terminal in linking with said electronic network service provider **responsive to an investigation of a local exchange carrier database**”, as required by independent claim 9.

Mansey fails to disclose “**establishing an account at said access station corresponding to said electronic terminal responsive to an investigation of a local exchange carrier database**”, as required by independent claims 12 and 19.


Because not every element of claims 1, 9, 12, and 19 is present in Mansey, claims 1, 9, 12, 19, and their respective dependent claims are patentable and should be allowed.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Elena B. Dreszer at (408) 947-8200 ext. 209.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 5/18/04



Elena B. Dreszer
Reg. No. 55,128

12400 Wilshire Boulevard
7th Floor
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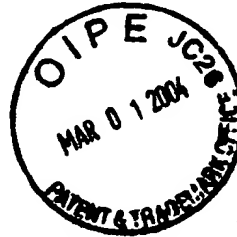
BLAKELY, SOKOLOFF TAYLOR & ZAFMAN LLP
LOS ANGELES

Application No.: 09/467,693 Filing Date: 12/21/1999 Docket #: 5776.P001
Date Mailed: 02/23/2004 Due Date(s): 01/21/2004 02/21/2004
Client: PAYMENTONE CORPORATION Atty/Sec: GXV/EBD/cab
Title: SYSTEM AND METHOD FOR ACCESSING THE INTERNET ON A
PER-TIME-UNIT BASIS

First Named Inventor: Joe Lynam

The following has been received in the U.S.P.T.O. on the date stamped hereon:

Certificate of Mailing
Extension of Time: one (1) month
Fee Transmittal (original & copy)
Information Disclosure Statement & PTO/SB/08 (3 pgs)
Request for Continued Examination (RCE)
Transmittal Letter
Check No. 002839 in the amount of \$130.00
Check No. 002840 in the amount of \$770.00
Check No. 002838 in the amount of \$110.00
Postcard



Assignee: PaymentOne Corporation

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP
A PARTNERSHIP INCLUDING LAW CORPORATIONS
60 SOUTH MARKET STREET, SUITE 510
SAN JOSE, CA 95113-2392
(408) 947-8200

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Sanjay Datta
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Request for Continued Examination fee
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NIT BASIS
Inventor: Joe Lynam, et al.
Filing Date: 12/21/99
Application No. 09/467,693

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SYSTEM AND METHOD FOR ACCESSING THE INTERNET ON A PER-TIME-U
NIT BASIS
Inventor: Joe Lynam, et al.
Filing Date: 12/21/99
Application No. 09/467,693

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Extension of Time fee for patent
SYSTEM AND METHOD FOR ACCESSING THE INTERNET ON A PER-TIME-U
NIT BASIS
Inventor: Joe Lynam, et al.
Filing Date: 12/21/99
Application No. 09/467,693

002838

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

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Alexandria, VA 22313-1450

Application No.	09/467,693
Filing Date	December 21, 1999
First Named Inventor	Joe Lynam
Art Unit	3627
Examiner Name	Chilcot, Richard E.
Attorney Docket Number	5776P001

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☒ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
- ii. ☒ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
- iii. ☒ Other: Suspension of Action (\$130.00)
- b. ☒ Check in the amount of \$1,010.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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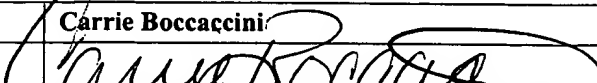
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Elena B. Dreszer	Registration No. (Attorney/Agent)	55,128
Signature		Date	2-23-04

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Name (Print/Type)	Carrie Boccaccini	Date	February 23, 2004
Signature			

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BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
LOS ANGELES

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Application No.: 09/467,693 Filing Date: 12/21/1999 Docket #: 5776.P001
Date Mailed: 5/18/2004 Due Date(s): _____
Client: PAYMENTONE CORPORATION Atty/Sec: GXV/EBD/cab
Title: SYSTEM AND METHOD FOR ACCESSING THE INTERNET ON A
PER-TIME-UNIT BASIS

First Named Inventor: Joe LynamThe following has been received in the U.S.P.T.O. on the date stamped hereon:

Amendment: Preliminary (8 pgs)
Certificate of Mailing
Transmittal Letter
Postcard

Assignee: PaymentOne Corporation